



NATIONAL LABOR RELATIONS BOARD

OFFICE OF THE GENERAL COUNSEL

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FEDERAL COURT IN CALIFORNIA GRANTS NLRB PETITION FOR INJUNCTION AT SURFACE PROTECTION INDUSTRIES, INC.

Region 21 of the National Labor Relations Board, located in downtown Los Angeles, has obtained a temporary injunction from a federal judge in Los Angeles ordering Surface Protection Industries, Inc. a Los Angeles paint and specialty coating manufacturer, to engage in collective bargaining negotiations with the District Council of Painters and Allied Trade No. 36, the collective bargaining representative of Surface Protection's production and maintenance employees.

Judge Robert A. Takasugi, of the Central District of California, issued his order on April 7, 1995, pursuant to Section 10(j) of the National Labor Relations Act, which authorizes federal district courts to grant temporary relief to maintain or restore the lawful status quo pending the Board's adjudication of unfair labor practices. NLRB General Counsel Fred Feinstein has placed a priority on identifying potential injunction cases and processing them expeditiously at all stages.

General Counsel Feinstein commented as follows:

"I am very pleased with the court's decision. It allows the bargaining process to continue while the underlying unfair labor practice case is decided and will serve to benefit the parties and the affected employees."

The five-member National Labor Relations Board, acting upon the recommendation of General Counsel Feinstein, authorized Region 21 Regional Director Victoria Aguayo to seek the injunction. This followed the Region's investigation into Surface Protection's alleged unfair labor practices and the issuance of a consolidated complaint on February 24, 1995 placing these allegations before the Board for decision. A trial was held before an administrative law judge March 16 and 17, 1995. Briefs were filed with the judge on April 19. The injunction remains in effect until the Board makes a final decision on the unfair labor practices.

The case involves the Employer's refusal to recognize and deal with the District Council as the exclusive bargaining representative following a merger of the District Council and Painters Local 1232. Following its refusal to recognize the District Council, the Employer unilaterally changed the employees' working conditions, dealt directly with the employees and promised improved working conditions.

General Counsel Feinstein commented further:

"This case represents an exemplary team effort by employees of Region 21. I join with Director Aguayo in recognizing the fine investigative and legal work by Field Attorney Jeffrey Williams, the district court argument by Field Attorney Ami Silverman, and additional legal work by Field Attorneys Frank Wagner and Neil Warheit. Recognition is extended also to Deputy Regional Attorney Peter Tovar, who supervises the Region's '10(j) team' and Supervisory Attorney Joel Martinez who supervised this investigation. In addition, Delia Acaylar, secretary to the 10(j) team, and the Region's other support staff are deserving of special appreciation for their role in preparing the necessary papers."

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